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UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
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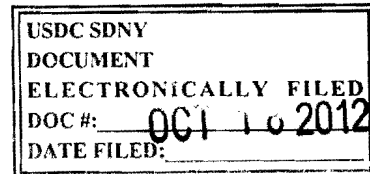
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October 17, 2012

**Via E-mail (ForrestNYSDChambers@nysd.uscourts.gov)**

Honorable Katherine B. Forrest  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312



RE: **U.S. Securities & Exchange Commission v. Fabrice Tourre**  
**Civil Action No. 10 CV 3229 (KBF)**

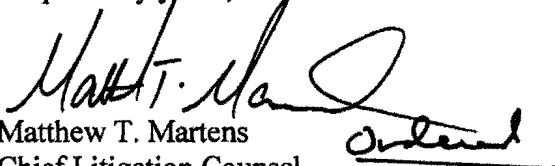
Dear Judge Forrest:

At the hearing last week, the Court set a tentative trial date in this matter of July 15, 2013. The parties estimated that the trial of this matter will extend for up to three weeks. The Court directed that the parties raise any scheduling concerns with the Court by October 18. As directed at the hearing, we have spoken with our potential witnesses regarding their availability during the three weeks beginning July 15, 2013.


Our primary expert witness has advised that he will be available during some, but not all, of the three-week period beginning July 15 due to a previously scheduled commitment. While we could call our expert in our case-in-chief without interference with the witness's prior commitment, we are concerned that our expert may be unavailable for rebuttal testimony or to assist in the cross-examination of defense witnesses, including any defense experts.

The Court advised that a trial date in June 2013 was available. Our expert has advised that a June 2013 trial would present no scheduling conflicts. Accordingly, we respectfully request a teleconference with the Court to discuss a trial date in June 2013.

Respectfully yours,

  
Matthew T. Martens  
Chief Litigation Counsel

cc: All Counsel of Record (via electronic mail)

*Telephonic conference scheduled for Oct. 22 at 1:30 PM. All parties should be on the line; call (212) 805-0139.*  
**SO ORDERED:**  
  
HON. KATHERINE B. FORREST  
UNITED STATES DISTRICT JUDGE

10/18/12